

### REMARKS

Claims 1-11 were reported in the Office Action as pending. Claims 10 and 11 are allowed. Claims 1-9 are rejected. Claims 1 - 9 are amended. Claims 1-11 remain.

Applicant requests reconsideration of the application in view of the following remarks.

It is asserted in the Office Action that Claims 1-9 and 11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, the Examiner further asserting if applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend the claim so that the phrase "means for" or "step for" is clearly not modified by sufficient structure, material, or acts for performing the claimed function, the Examiner further asserting if applicant does not wish to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to amend the claim so that it will clearly not be a means (or step) plus function limitation (e.g., deleting the phrase "means for" or "step for"). The Examiner noting Claims 2-4 and 7-9 are necessarily rejected based upon their dependency on their respective base claims.

In response to the rejection of Claims 1-9 under 35 U.S.C. 112, second paragraph, and 35 U.S.C. 112, sixth paragraph, Applicant has amended Claims 1-9 as suggested by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections as discussed above are respectfully requested.

Accordingly, Applicant submits that the claims pending following entry of this amendment, namely Claims 1 - 11, are now in condition for allowance, which early action is requested.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date:

3/4/2010

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on the date shown below.

  
Linda Metz

3/4/2010